



BY THE  
**LORD LIEUTENANT  
AND  
COUNCIL:**

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ORMONDE,

**W**HEREAS in the Tenth year of the Reign of his Majesty's Royal Father King Charles the first of ever blessed Memory, there was an Act of Parliament made and passed in this Kingdom of Ireland; which Act followeth in these words:

*An Act for the better preservation of fishing in the Counties of Dublin, Wicklow, Wexford, Waterford, Cork, Kerry, Clare, Galway, Mayo, Sligo, and all other Counties and places within the Realm of Ireland, and the Dominions thereof adjoining to the Sea coast, and for the relief of Balkors, Condors, and fishermen against malicious suits.*

**W**HEREAS the Trade of fishing for Herrings, Pilchards and Sean-fish within the counties of Dublin, Wicklow, Wexford, Waterford, Cork, Kerry, Clare, Galway, Mayo, Sligo, and of other counties and places within the said Realm of Ireland and the Dominions thereof, adjoining to the Sea-coast, is and of late time hath been very great and profitable, as well to divers of the fishermen as other his Majesty's Subjects within this Realm of Ireland, and the Dominions thereof. And whereas also for the necessary use of the takeing of the said Herrings, Pilchards, and other Sean-fish, divers persons within the said Counties called *Balkors, Huors, Condors*, directors or Guidors at the fishing time, for the said Herrings, Pilchards, and other Sean-fish within the Counties and places, time out of mind have used to watch, and attend upon the High Hills, and grounds near adjoining to the Sea-coasts, within the said counties and places, for the discovery, and giving notice to the fishermen, and inhabitants near adjoining, when the said Herrings, Pilchards, or Sean-fish come towards or near the sea-coasts there; and for the guiding and directing of the Fishermen in their boats upon the sea-coasts for the takeing of the said Herrings, Pilchards and other Sean fish. And whereas also now of late divers persons having Lands, Tenements and Hereditaments near adjoining to the sea-coasts within the said counties, or other places where the said fishing places for the takeing of the said Herrings, Pilchards and other Sean-fish are, have threatned to bring their Actions of Trespass at the Common Law, or other suits as well in the high Courts of Record at Dublin, as in inferior Courts within the said Counties, not onely against such *Balkors, Huors, Condors*, directors and guidors, but also against such fishermen and other persons, for breakeing of their close as have

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attended



attended their seans, or Netts for the drawing, and carrying of the said fish on Land or shoare, by reason whereof such watchmen, *Balkors, Huors, Condors*, directors and guidors, and such other persons as heretofore have attended the said seans and fishings, have forborn to enter into, or goe upon the Lands, Tenements and Hereditaments, near adjoyning to such fishing places within the said counties, and places for the watching or discovery of the said Herrings, Pilchards, and other seane-fish, or to *Balke, Hue, Cond*, or *direct*, or to attend the seans or Netts, as heretofore they have done, and will likewise forbear the same hereafter, if provision be not had and made, that they may lawfully enter into and upon such Lands, Tenements and Hereditaments as do lye near or adjoyning to the said sea-coasts and places of fishing as aforesaid, for their watching, balkeing, directing and attending of the seans as is aforesaid.

For Remedy whereof, and for the maintenance of the said Trade of fishing, which doth so greatly tend to the profit of many of the Inhabitants within the said counties and others: Be it therefore Enacted and declared by our Sovereign Lord the King, the Lords Spiritual and Temporal, and the Commons in this present Parliament assembled, That it is, shall, and may be lawful at all times hereafter to and for every such Watchmen, *Balkors, Huors, Condors*, directors and guidors, and all such fishermen and other persons, as shall necessarily attend the said seanes or netts as aforesaid, at the time of fishing for Herrings, Pilchards and other seane-fish within the said Counties and places, where such fish shall be hereafter taken, to enter and go into, and upon any Lands, Tenements and Hereditaments, which do lye or adjoyn near unto any such fishing places, fit, convenient and necessary to watch and balke in, or to draw or carry the said fish on shoare, and there to watch for the said fish, and to *balke, Hue, Conde*, direct and guide the said fishermen, which shall be upon the said Sea and Sea coasts, for the takeing of the said fish, and to draw and carry the said fish on Land or shoare, any law, usage, or Custome to the contrary in any wise notwithstanding.

And be it further Enacted by the Authority aforesaid, That if any Action of Trespas, or other suit shall at any time hereafter happen to be attempted and brought against any person or persons for entring or going on the Lands, for watching of the said fish, or for *Balking, Hueing, Conding*, directing or guiding of the said fishermen in their Boats upon Sea or Sea-coast, for takeing of the said fish, or for landing of the said fish as aforesaid, by authority of this present Act, the Defendant, and Defendants in any such Action or suit shall and may plead not guilty for any thing doing, by virtue of this Act, and upon the Tryal of that Issue, the whole matter to be given on both parties in evidence, according to the very truth of the same; And after such Issue Tried for the Defendant or Defendants, or Non suit of the Plaintiff or Plaintiffs after appearance, the same Defendant or Defendants to recover his or their Damages, by reason of his or their wrongful vexation in that behalf, with Costs also in that behalf sustained, and that to be assessed by the same Jury that shall Try the said Issue, or else by writt to enquire of Damages as the Case shall require, for which Costs and Damages such Defendant shall and may by virtue of this Act take and sue forth such Execution as the Defendant in a Replevin may do.

**A**ND Whereas by the desolations and confusions wrought in the times of the late Rebellions in this Kingdom, the fishing in this Kingdom intended by the said Act to be preserved, are much decayed to the great prejudice of his Majestie and his good Subjects: And whereas Thomas Walker and Company by their humble Petition Exhibited at this board have declared that for the advancement of Trade and preservation of fishing and supply of the City of Dublin, and other places in this Kingdom with fish at reasonable Rates, and for Traffique beyond the Seas, they are ready with their fishermen, Boats and nets, and other necessities to carry on the said work effectually without hindring any other person or persons Licensed to fish the accustomed way if they please, whereby his Majesties Revenues in his Customs and Trade will be considerably increased, the Countrey and Cities supplied with fish, and a considerable sum of money kept in the Kingdom, which otherwise will be yearly carried out of the Kingdom: And that notwithstanding the said Act so passed lead some persons, either out of ignorance or wilfulness should obstruct them in the said fishing, they therefore by their said Petition humbly besought us to encourage them to prosecute the said fishing without interruption or disturbance: Upon consideration whereof We think fit by this Proclamation to declare and publish, that the said Thomas Walker and his Company or Partners, and all other fishermen may fish according to the said Act of Parliament without interruption or disturbance; whereof the Judge or Judges of the Admiralty, and all other his Majesties Officers, and Ministers, and all others whom it may concern are to take notice. And We require the Sheriffs of the several Counties within this Kingdom to cause this Proclamation to be published and Proclaimed in, and throughout all the said Counties, to the end that all persons concerned may take notice thereof, and render obedience thereunto accordingly.

Given at the Council Chamber in *Dublin*, the 15th day of *August*, 1666.

Meath.	Arran.	Hen. Midenfis.	R. Coote.	Art. Forbess.
Jo. Byffe.	Rob. Byron.	Paul. Davys.	Ja. Ware.	
Rob. Meredith.	Theo. Jones.			

**GOD Save the KING.**